

Notice of Allowability

Application No.

09/127,767

Examiner

Paul Callahan

Applicant(s)

PATEL, SARVAR

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 11-19-2004.
2. ☒ The allowed claim(s) is/are 1-5,8-17,19 and 22.
3. ☒ The drawings filed on 26 January 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's ~~Amendment~~ / Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

1. Claims 1-22 were pending at the time of the previous Office Action in the case. Claims 6, 7, 18, 20, and 21 have been cancelled and their limitations incorporated into independent claims 1 and 12 respectively. The applicant has amended the independent claims after the decision of the Board of Patent Appeals and Interferences in Appeal No. 2003-0446. In its decision the Board affirmed the rejections of claims 1-6 and 9-20, and reversed as to the rejections of claims 7, 8, 21, and 22.

The claims have been amended so as to incorporate the limitations of dependent claims 6 and 7 into independent claim 1, and so as to incorporate the limitations of dependent claims 18, 20, and 21 into independent claim 12. Therefore, as per MPEP 1214.06 and CFR 1.197(C)(I)(B)(2), the claims are now in a condition for allowance.

2. Claims 1-5, 8-17, 19, and 22 are pending and have been examined.

Allowable Subject Matter

3. Claims 1-5, 8-17, 19, and 22 allowed.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following US Patent documents teach systems for two-party authentication similar to that of the Applicant:

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Diffie et al. 5,371,794

Powell 5,991,617

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Caldwell, can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is: (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

1/10/2005

Paul Callahan